

FOI REF: 23/672

3rd November 2023

Eastbourne District General Hospital
Kings Drive
Eastbourne
East Sussex
BN21 2UD

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

- 1) I would like to request any document that would indicate the number of employment tribunal cases involving ESHT that have occurred each year since 2012?**

Please see below for the number of employment tribunal cases broken down by financial year:

2012/13	11
2013/14	5
2014/15	3
2015/16	2
2016/17	4
2017/18	0
2018/19	3
2019/20	3
2020/21	5
2021/22	2
2022/23	4

- 2) I would also like to request any document concerning expenditure by the Trust on lawyers to represent the Trust at employment tribunals, again since 2012.**

East Sussex Healthcare NHS Trust does not centrally record the information requested above. To enable the Trust to provide this information would require a manual review of records which we estimate would take in excess of 18 hours. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

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However, we can provide the Trust's expenditure on lawyers for 2020/21 to 2022/23, please see below:

2020/2021	2021/2022	2022/2023
£88,906	£24,498	£106,33

- 3) I would like to request any document that indicates the current staff vacancy rates at ESHT. If possible, I would like to see the vacancy rates over the last five years.

Month	Vac rate %
Sep-23	8.2%
Sep-22	9.1%
Sep-21	6.3%
Sep-20	-1.0%
Sep-19	10.3%

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
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